

Appl. No. 10/678,206
Docket No. 9049
Amdt. dated February 9, 2009
Reply to Office Action mailed on December 10, 2008
Customer No. 27752

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-17 (Canceled).

Claim 18 (Currently Amended) A hair treatment applicator according to claim [27] ~~47~~, wherein said first plurality of tines extends substantially perpendicularly from said first base.

Claim 19 (Previously Presented) A hair treatment applicator according to claim 18, wherein said second plurality of tines extends substantially perpendicularly from said second base.

Claim 20 (Currently Amended) A hair treatment applicator according to claim [27] ~~47~~, wherein said handle is integrally molded with said retaining structures.

Claim 21 (Previously Presented) A hair treatment applicator according to claim 20 wherein said hair treatment applicator is injection molded as a single piece.

Claim 22 (Previously Presented) A hair treatment applicator according to claim 21, wherein said hair treatment applicator is made from a moldable material selected from the group consisting of polyethylene and polypropylene.

Claim 23 (Currently Amended) A hair treatment applicator according to claim [27] ~~47~~, wherein at least one of said first and second plurality of tines is frusto-conical in shape.

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Claim 24 (Previously Presented) A hair treatment applicator according to claim 23, wherein each of said first and second plurality of tines that is frusto-conical in shape has a proximal end having a diameter from about 0.125 inches (about 0.318 cm) to about 0.3125 inches (about 0.794 cm) and a distal end having a diameter from about 0.0625 inches (about 0.159 cm) to about 0.375 inches (about 0.953 cm).

Claim 25 (Currently Amended) A hair treatment applicator according to claim [27] 47, wherein each of said first and second plurality of tines has a height from about 0.25 inches (about 0.64 cm) to about 1.0 inches (about 2.54 cm).

Claim 26 (Currently Amended) A hair treatment applicator according to claim [27] 47, wherein said passage has a width of at least about 0.25 inches (about 0.64 cm).

Claim 27 (Previously Presented) A combination hair treatment and hair treatment applicator for applying said hair treatment to hair comprising:

- a hair treatment applicator comprising:

- a handle; and

- a head connected to said handle, said head comprising:

- a first retaining structure comprising a first base, a first plurality of tines extending from said first base, and a first baffle extending from said first base, which together form a first retaining volume configured to hold said hair treatment, receive a first strand of hair, and apply said hair treatment to said first strand of hair;

- a second retaining structure comprising a second base, a second plurality of tines extending from said second base, and a second baffle extending from said second base, which together form a second

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retaining volume configured to hold said hair treatment, receive a second strand of hair, and apply said hair treatment to said second strand of hair;

a passage extending between said first and second baffle, wherein said passage is substantially free of said hair treatment and is configured to receive a third strand of hair without exposing said third strand of hair to hair treatment contained in said first and second retaining structures; and

a hair treatment contained in the first and second retaining structures of the hair treatment applicator.

Claim 28 (Previously Presented) The combination hair treatment and hair treatment applicator of claim 27, wherein said first plurality of tines is disposed on said first base such that each of said plurality of tines is comprised within a first row of two or more tines aligned in a direction substantially parallel to said longitudinal axis of said handle and a second row of two or more tines aligned in a direction substantially perpendicular to said longitudinal axis of said handle, and wherein said second plurality of tines is disposed on said second base such that each of said plurality of tines is comprised within a first row of two or more tines aligned in a direction substantially parallel to said longitudinal axis of said handle and a second row of two or more tines aligned in a direction substantially perpendicular to said longitudinal axis of said handle.

Claim 29 (Cancelled).